

PAUL HASTINGS, JANOFSKY & WALKER LLP

POBERT P HASTINGS (1910-1996) COUNSEL LEE G. PAUL LEONARD S JANOFSKY CHARLES M. WALKER

600 PEACHTREE ST., N.E., STE. 2400

ATLANTA, GEORGIA 30308-2222

TELEPHONE (404) 815-2400 695 TOWN CENTER DRIVE

COSTA MESA, CALIFORNIA 92626-1924 TELEPHONE (714) 668-6200

555 SOUTH FLOWER STREET

LOS ANGELES, CALIFORNIA 90071-2371 TELEPHONE (213) 883-6000

1299 PENNSYLVANIA AVENUE, N.W. WASHINGTON, D.C. 20004-2400

TELEPHONE (202) 508-9500

FACSIMILE (202) 508-9700

INTERNET www.phjw com

399 PARK AVENUE NEW YORK, NEW YORK 10022-4697 TELEPHONE 1212) 318-8000

345 CALIFORNIA STREET SAN FRANCISCO, CALIFORNIA 94104-2635 TELEPHONE (415) 835-1600

1055 WASHINGTON BOULEVARD STAMFORD, CONNECTICUT 06901-2217 TELEPHONE (203) 981-7400

1299 OCEAN AVENUE SANTA MONICA, CALIFORNIA 90401-1078 TELEPHONE (310) 319-3300

> ARK MORI BUILDING, 3014 FLOOR 12-32, AKASAKA I-CHOME MINATO-KU, TOKYO 107, JAPAN TELEPHONE (03) 3586-4711

December 18, 1998

WRITER'S DIRECT ACCESS (202)508-9557 smflicker@phjw.com

ij

OUR FILE NO 26340,91730

\$ 7.

VIA FACSIMILE AND U.S. MAIL

Ms. Tamara K. Kapper Paralegal Specialist Federal Election Commission 999 E Street, N.W. 6th Floor Washington, D.C. 20463

Re:

MUR 4806; Hamilton Bank, N.A.; Eduardo A. Masferrer; Maria F. Diaz

Dear Ms. Kapper:

This letter constitutes a written request by the Respondents in the above-captioned matter to enter into conciliation with the Commission.

Sincerely.

cott M. Flicker

for PAUL, WASTINGS, JANOFSKY & WALKER LLP

co:

J. Reid Bingham, Esq.

E. Lawrence Barcella, Jr., Esq.

banga sa marang

M

नर्जे हर दर्ज





BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

HAMILTON BANK N.A.. EDUARDO A. MASFERRER, and MARIA F. DIAZ

MUR 4806

RESPONDENTS' RESPONSES TO THE FEC'S REQUESTS FOR CLARIFICATION

Subject to and without waiving any objections cited in their previous Responses to the Interrogatories of the Federal Election Commission in this matter, Hamilton Bank, N.A. (the "Bank"), Eduardo A. Masferrez and Maria F. Diaz (collectively, "Respondents"), by and through their undersigned attorneys, Paul, Hastings, Janofsky & Walker LLP, hereby respond to certain requests for clarification raised by staff of the Commission in a meeting with Respondents' counsel on November 19 1998:

Request for Clarification No. 1:

The formal position of Maria F. Diaz during April 1996.

Response No. 1:

Ms. Diaz assumed the position of Vice-President for Finance on August 23, 1994. She held that position until June 26, 1996, when she was named Senior Vice-President for Finance

Reduest for Clarification No. 2:

Under which of the expense categories listed in Response to Interrogatory No. 2 did the subject contribution fall.

Resnonse No. 2:

The subject contribution did not explicitly fall within any of the enumerated expense categories.



Request for Clarification No. 3:

The composition of the Bank's Board of Directors in April 1996.

Response No. 3:

William Alexander

Fausto Diaz-Oliver

Ronald E. Frazier

Ronald A. Lacayo

George N. Lyall

Eduardo A. Masferrer

Edmund M. McCarthy

Lilliam Sanchez Martinez

Request for Clarification No. 4:

Whether the "Jack Stump" referred to in the Ernst & Young facsimile dated December 24, 1996, is "John Stumpff."

Response No. 4:

John F. Stumpff, an employee of Hamilton Bancorp Inc., is likely the individual referred to as "Jack Stump" in the Ernst & Young facsimile of December 24, 1996.

Request for Clarification No. 5:

Whether Mr. Masferrer or any other Bank employee hand-delivered the contribution check to the DNC at the Presidential Gala held on April 29, 1996, in Miami.

Response No. 5:

Mr. Masferrer has a clear recollection that he did not hand-carry a check to the April 29, 1996 event. Respondents believe it is highly unlikely that any other attendee from Hamilton Bank would have done so. Nor do the Bank's records contain paperwork to indicate that the check was hand-delivered to the event or the DNC by a third party (e.g., courier or private overnight mail service) other than the U.S. Postal Service.





Dated:

December 18, 1998

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY

& WALKER, LLP

By:

E. Lawrence Barcella, Jr.

Scott M. Flicker

A. Eduardo Balarezo

1299 Pennsylvania Avenue, NW

Tenth Floor

Washington, DC 20004

(202) 508-9500

Attorneys for Hamilton Bank, N.A., Eduardo A. Masferrer and Maria F. Diaz